



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of Agriculture and Food

LUANN ADAMS
Commissioner

SCOTT ERICSON
Deputy Commissioner

News Release

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July 30, 2015

Utahns Want More Food Security And Are Willing To Sacrifice To Achieve It

(Salt Lake City) Utahns show remarkable support for Utah agriculture as they tell Envision Utah how best to plan for the future. The independent planning organization is releasing results of its 18 month long study that considers how to plan for a near doubling of our population by 2050.

The study finds:

- Utahns do not want to take water or land from agriculture.
- 98% of Utahns want to increase food self-sufficiency from agriculture by putting more land into production and/or changing crops to fruits and vegetables.
- Utahns are willing to cut back on watering their lawns and gardens to ensure we have enough water for agriculture
- Utahns want to avoid building on high-quality farmland

"It is exciting to think that this many people in Utah feel that strongly about agriculture," said Utah Agriculture Commissioner LuAnn Adams. "It confirms what we have been hearing, that people want to be connected with their local farmers and ranchers, and they want access to an abundance of local, safe food," she added.

The Utah Department of Agriculture and Food (UDAF) Utah's Own program works with local farmers and ranchers to market their products and it helps consumers identify those products in stores. If Utahns shifted 1% of their food purchases to Utah grown products, it would add \$63 million to the state's economy.

The UDAF is currently working with local governments to develop tools and methods for protecting agricultural land while accommodating population growth.

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GOVERNOR'S OFFICE OF
ENERGY DEVELOPMENT
Advancing Utah's Energy Future

OED Update to the Agriculture Advisory Board

Utah Department of Agriculture and Food

July 30, 2015

Governor's Office of Energy Development

Dr. Laura Nelson, Ph.D., Executive Director





GOVERNOR'S OFFICE OF
ENERGY DEVELOPMENT
Advancing Utah's Energy Future

Presentation Overview

- **2014 Energy Efficiency & Conservation Plan (EECP)**
 - 26 total recommendations in five sectors
 - Overview of Agriculture Team's final recommendations
 - Clarifying the role of "EAT" – *the Energy Agriculture Team*
- **OED update**
 - Highlights from two AgEE case studies
 - Ag/Water EE position – *Energy Efficiency Program Coordinator*
 - AgEE funding
- **Seeking input from the Board**





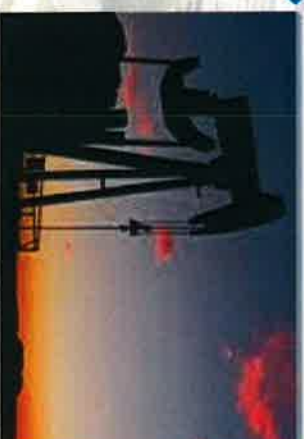
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Advancing Utah's Energy Future

Development of the EECP

GOVERNOR'S OFFICE OF ENERGY DEVELOPMENT

Energy Initiatives & Imperatives

Utah's Energy Strategic Imperative Plan 2.0
Updated Plan February 2011



UTAH ENERGY EFFICIENCY & CONSERVATION PLAN

Approved by the ASB on Energy Issues



2014

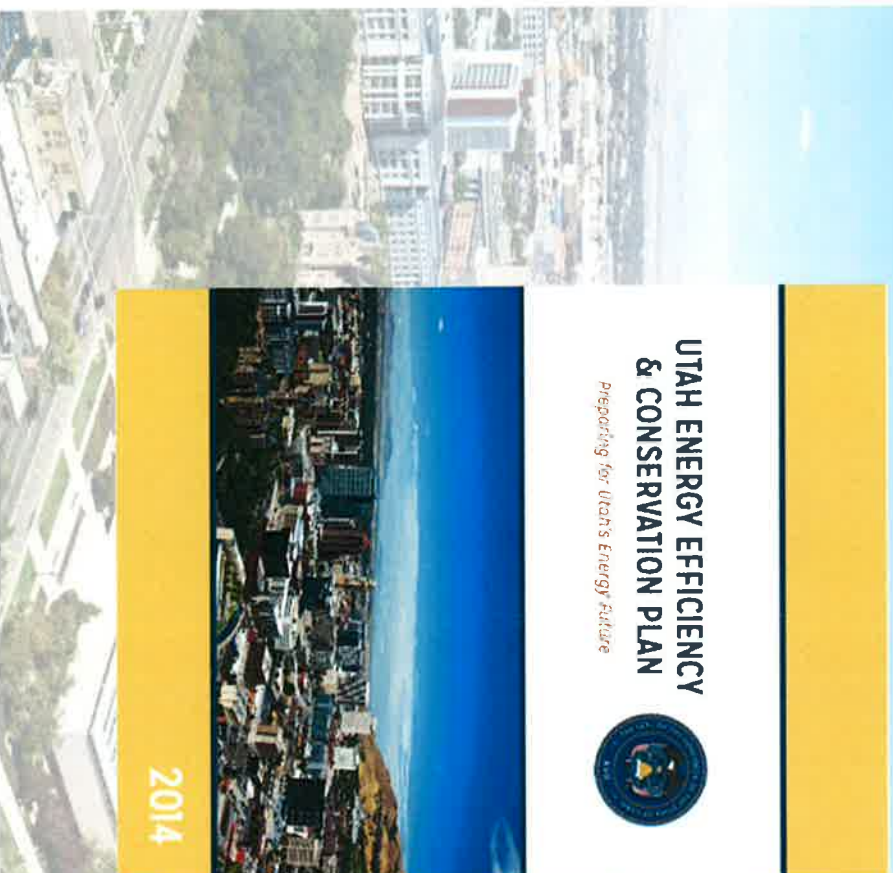
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EECP Overview



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SECTORS:

- Buildings
- Transportation
- Industrial
- Agriculture
- Public Outreach & Education



Agriculture Team Committee



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Recommendation	Status
Create a unified partnership collaboration	<i>Completed and ongoing</i>
Provide statewide outreach and training	<i>Completed and ongoing</i>
Establish program funding and producer incentives	<i>In progress</i>

More information available on OED's Ag webpage: [http://energy.utah.](http://energy.utah.gov/resource-areas/energy-efficiency/industrial-energy-efficiency/agricultural-energy-efficiency/)

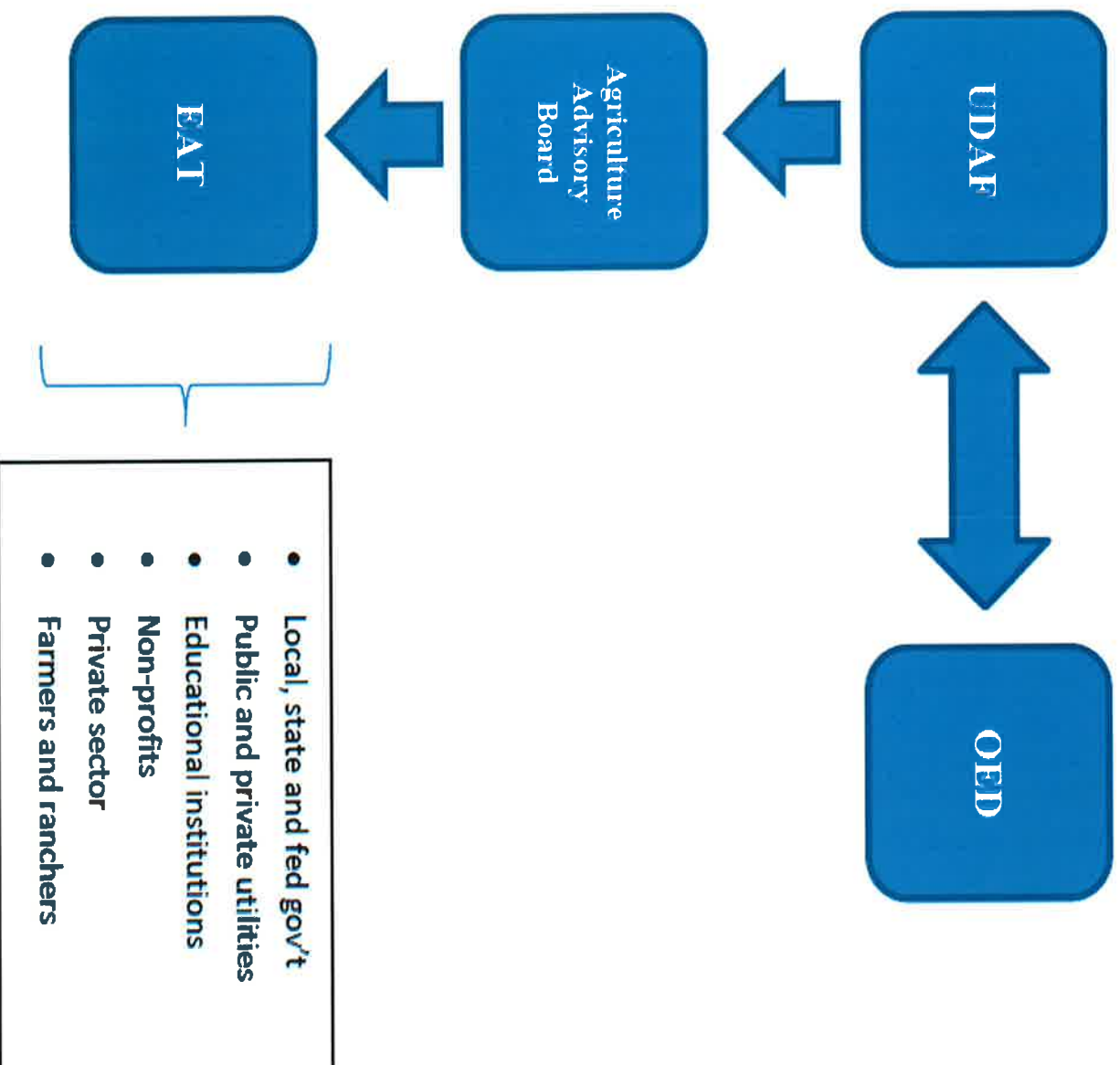
[gov/resource-areas/energy-efficiency/industrial-energy-efficiency/agricultural-energy-efficiency/](http://energy.utah.gov/resource-areas/energy-efficiency/industrial-energy-efficiency/agricultural-energy-efficiency/)



Energy Agriculture Team "EAT"



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Mission of the Energy Agriculture Team



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"To provide leadership by coordinating with the appropriate statewide partners necessary to provide robust energy efficiency education and outreach to Utah's agricultural producers."





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Headquarter Audit

Measure	Electricity Savings (in kWh)	Propane Savings (in MBtu)	Installed Cost	Annual Energy Cost	Estimated Payback (in Years)
Lighting	15,506	—	\$3,730	\$1,427	2.6
Hot Water (Compressor Heat Recovery)	—	2,432	\$12,000	\$4,529	2.7
Other Motors and Pumps (Chiller Pumps)	2,369	—	\$600	\$218	2.8
Air Heating & Building Environment (Radiant Heater)	—	178	\$1,674	\$332	5.0
Refrigeration (Milk Transfer Pump Variable Speed Drive)	6,804	—	\$8,560	\$625	13.7
TOTALS	24,679	2,610	\$26,564	\$7,131	3.7

	Current Status	Energy Savings	Current Cost	Cost Savings	% Savings
Annual electricity use (kilowatt hours)	204,100 kWh	24,679 kWh	\$18,369	\$2,271	12%
Annual propane use (gallons)	7,639 gallons	2,611 gallons	\$14,208	\$4,860	34%





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Landscape Audit

Little Mountain Cattle Co.		Estimated Reduction in Energy Use			Estimated Costs, Savings, Payback, & Prioritization for Implementation			
SAVINGS MEASURE		Diesel Savings (Gallons)	Electric Savings (Increase)	Energy Savings (MMBtu)	Installed Cost (Dollars)	Energy Cost Savings (Dollars)	Estimated Payback in Years	
Tillage Practices		85	—	12	\$0	\$282	0	
Irrigation		1,380	(11,328)	163	\$14,241	\$3,130	4.6	
Totals		1,465	(11,328)	165	\$14,241	\$3,412	4.2	

Joel M. Ferry Farm		Estimated Reduction in Energy Use			Estimated Costs, Savings, Payback, & Prioritization for Implementation			
SAVINGS MEASURE		Diesel Savings (Gallons)	Electric Savings (Increase)	Energy Savings (MMBtu)	Installed Cost (Dollars)	Energy Cost Savings (Dollars)	Estimated Payback in Years	
Irrigation Fuel Switch		10,282	(62,880)	1,216	\$109,000	\$27,564	4.0	



OED's Energy Efficiency Program

Coordinator



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"Responsible for managing and implementing energy efficiency-focused programs, with an emphasis on programs involving water conservation, agricultural efficiencies and other rural programs as developed."

- Currently interviewing qualified candidates
- Position will begin mid-August
- Will serve as OED's lead contact for the EAT





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OED Funding Opportunities

State Energy Program (SEP)

- Utah receives a formula grant every year from DOE
- Funds can be allocated to energy efficiency and renewable energy programming in the following sectors: Agriculture, Industrial, Commercial, Residential and Alternative Transportation

Petroleum Violation Escrow Funds (PVE)

- One-time allocation of funds received under the Exxon and Stripper Well oil overcharge proceedings
- Funds can be used separately or to supplement SEP funds
- Limited to: *"commercial and industrial energy efficiency and renewable energy programs involving building improvements, infrastructure, transportation and agriculture"*



Ag Advisory Board Input for OED



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- How can we partner in projects for future funding opportunities?
- What is the most effective level of engagement between OED and EAT?
 - e.g., How would you like our new hire to engage?
- How can we best work with local conservation managers to implement EE technologies and conservation practices?
- *Any additional input?*



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~~R65. Agriculture and Food, Marketing and Development.~~

~~R65-4. Utah Egg Marketing Order.~~

~~R65-4-1. Authority.~~

~~—— A. Promulgated under authority of Section 4-2-2(1)(e), which authorizes issuing marketing orders to promote orderly market conditions for agricultural products.~~

~~—— B. The Commissioner of Agriculture and Food finds, after a study of information available and by request of the industry that it is in the public interest to establish a marketing order to improve conditions in the egg producing industry. The Commissioner finds that the issuance of this marketing order is approved and favored by at least 50 percent of the producers and handlers voting on the referendum representing not less than two-thirds of the egg production for the State of Utah during the calendar year. The production and marketing of egg products by numerous individual egg producers has prevented coordinated efforts in research and promotion necessary to maintain and expand markets. This process is vital to the well-being of the Utah egg industry which provides one of the basic, natural foods in the diet. It is therefore ordered by the Commissioner, acting by the authority vested in him, that an Order be established to assure an effective and coordinated program to maintain and expand the Utah egg industry's market position, and that the producers shall be subject to the terms and provisions of the Order.~~

~~R65-4-2. Definition of Terms.~~

~~—— A. "Commissioner" means the Commissioner of the Utah Department of Agriculture and Food.~~

~~—— B. "Person" means any individual, group of individuals, partnership, corporation, association, cooperative, legal representative, or any other entity.~~

~~—— C. "Commercial Eggs" or "Eggs" means eggs from domesticated chickens which are sold for human consumption either in the shell egg form or for further processing into egg products.~~

~~—— D. "Producer" means a person owning at least 3,000 laying hens engaged in the business of producing or causing to be produced eggs for the commercial market, provided such producers shall not include producers who sell all the commodity to the consumer.~~

~~—— E. "Registered" producers means producers who have indicated that they want to be included in the marketing order voting process by registering to vote in the referendum. Registration forms may be mailed out with the ballots.~~

~~—— F. "Known" producers means producers of a specific commodity who have been identified by the commodity group, themselves, or a third party as being eligible to register to vote in a referendum affecting that specific commodity.~~

~~—— G. "Case" means a standard shipping package containing 30 dozen eggs.~~

~~—— H. "Spent Hen" means hens which have been in production of commercial eggs and have been removed from such production.~~

~~—— I. "Handler" means an individual or an organization engaged in the merchandising of eggs or egg products.~~

~~R65-4-3. Board.~~

~~—— A. The Utah Egg Board is hereby established consisting of five members of the egg industry, plus ex-officio non-voting members from BYU and USU, and Utah Department of Agriculture and Food.~~

~~—— B. The original members of the Board shall be selected by the Commissioner from a list submitted by the industry.~~

~~—— C. Successors to original members shall be appointed by the Commissioner from names submitted by the industry. Two members shall be appointed for a period of three years. Three members shall be appointed for a period of four years. After the first three years, each appointed member shall serve for a period of four years. This rotation shall be in effect for the term of the marketing order. In the event of a vacancy the Commissioner shall appoint a new member from names submitted by the Board.~~

~~—— D. Members of the Board shall only succeed themselves once and not serve on the Board for more than eight consecutive years.~~

~~—— E. The officers of the Board shall be selected from the five Board members at their first meeting after reorganization. The officers shall consist of a Chairman and a Vice Chairman, to be elected yearly by the members of the Board. In the event of a vacancy or unfilled office, it shall be filled through an election as soon as practical and shall be for the remainder of the unexpired term.~~

~~—— F. The Board shall exercise the following functions, powers and duties:~~

~~—— 1. to receive and expend funds collected for the benefit of the Utah egg producers;~~

~~—— 2. to cooperate with any local, state or national organization engaged in activities similar to those of the egg marketing Board;~~

~~—— 3. to conduct a public educational program to increase the consumption of Utah produced eggs where and when possible.~~

~~—— G. Attendance of three members at a duly called meeting shall constitute a quorum for the transaction of official business. The Board shall meet at least quarterly.~~

~~—— H. Each member of the Board is entitled to per diem and expenses in accordance with Sections 63A-3-106 and 63A-3-107.~~

~~—— I. Financial report will be made available annually for the Board and members of the industry by the Utah Department of Agriculture and Food.~~

~~R65-4-4. Provisions of the Order.~~

~~—— A. This order provides for:~~

~~—— 1. Uniform grading and inspection of eggs sold or offered for sale by producers or handlers and for the establishment of grading standards of quality, conditions, and size. Such grading standards shall not be established below any minimum standards now prescribed by law for the State.~~

~~—— 2. Advertising and sales promotion to create new or larger markets for eggs produced in Utah, provided that any such plan shall be directed towards increasing the sale of such commodity without reference to particular brand or trade name.~~

~~—— 3. The labeling, marketing, or branding of egg or egg products in conformity with the regulations of the Commissioner or the laws of the State of Utah already in existence and written in the Utah Code.~~

~~—— 4. Research projects and experiments for the purpose of improving the quality, size, vitality, and general condition of the egg industry and for the purpose of protecting the health of the people of Utah.~~

~~—— 5. The Board may cooperate with any other state or federal agency whose activities may be deemed beneficial to the purpose of this Order.~~

~~—— B. Expenses - Assessments - Collection and Disbursement.~~

~~—— 1. Each producer subject to this Order shall pay to the Board his or her pro rata share of such expenses as the Commissioner may find necessary to be incurred by the Board for the functioning of said Marketing Order. Each producer shall pay up to 30 cents per case to the Board~~

annually. The discretionary assessment shall be set by majority vote of the board, and approved by the Commissioner. This assessment levied in the specified amount shall constitute a personal debt of every person so assessed and shall be due and payable when payment is called for thereby. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the product covered by the Order which is distributed, sold, or shipped in commerce by such cooperative association of producers.

2. The assessment of each producer shall be deducted from the producer's gross receipt by the dealer or producer handler. All proceeds from the deducted portion shall be paid at least quarterly to the Commission upon request of the Board.

3. The Board shall retain records of the receipt of the assessment. The records shall be audited annually by an auditor approved by the Commissioner. Copies of the audit shall be available to any contributor upon request.

4. The Board of Control is required to reimburse the Commissioner for any funds as are expended by the Commissioner in performing his duties, as provided in this Order. Such reimbursement to include only funds actually expended in connection with this Order.

5. The Board is authorized to incur such expenses as are necessary to carry out its functions subject to the approval of the Commissioner. The Board shall receive and disburse all funds received by it pursuant to Section R65-4-5. Any funds remaining at the end of any year over and above the necessary expenses of said Board of Control may be divided among all persons from whom such funds were collected. At the discretion of the Board, such amounts may be applied to the necessary expenses of the Board for the continuation of its program during the next succeeding year.

6. Any producer who wishes a refund of their paid assessment may request such by notifying the Board in writing within sixty days of payment of the assessment.

R65-4-5. Division of Funds.

Assessments made and monies collected under provisions of this order shall be divided into assessments and funds for:

A. administrative purposes,

B. educational purposes, advertising and promotional purposes, and

C. research purposes. Such assessments and funds shall be used solely for the purposes for which they are collected; provided, that funds remaining at the end of any year may be used in the succeeding year and provided, that no funds be used for political or lobbying activities.

R65-4-6. Board - Member's Liability.

No member of the Board, nor any employee of the Board, shall be deemed responsible individually in any way whatsoever to any producer, distributor, handler, processor, or any other person, for errors of judgment, mistakes, or other acts, either of commission or omission of principal, agent, person, or employee, except for his own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act or omission of any other member of the Board. The liability of the members of such Board shall be several and not joint, and no member shall be liable for the default of any other member.

R65-4-7. Complaints for Violations - Procedure.

Complaints for violations shall be handled by the responsible legal agencies and shall be enforced in the civil courts of the state.

~~R65-4-8. Termination of Order.~~

~~_____ The Commissioner may terminate the Marketing Order at such time as he may determine there is no longer an industry need for such order. A referendum vote may be called at the request of the producers through a petition of 40 percent of the producers.~~

~~R65-4-9. Quarterly Meeting.~~

~~_____ The Board shall meet at least quarterly.~~

R65. Agriculture and Food, Marketing and Development.

R65-3. Utah Turkey Marketing Order.

R65-3-1. Authority.

- ~~_____ A. Promulgated under authority of Section 4-2-2(1)(e).~~
- ~~_____ B. The Commissioner of Agriculture and Food finds, after a study of information available and by request of the industry that it is in the public interest to establish a marketing order to improve conditions in the turkey producing industry. The Commissioner finds that the issuance of this marketing order is approved and favored by at least 50 percent of the producers and handlers voting on the referendum representing not less than two-thirds of the turkey production for the State of Utah during the calendar year. It is therefore ordered by the Commissioner, acting by the authority vested in him, that an Order be established to assure an effective and coordinated program to maintain and expand the Utah turkey industry's market position, and that the producers shall be subject to the terms and provisions of the Order.~~

R65-3-2. Definition of Terms.

- ~~_____ A. "Commissioner" means the Commissioner of Agriculture and Food of the State of Utah.~~
- ~~_____ B. "Person" means an individual, partnership, corporation, association, legal representative, or any organized group of individuals.~~
- ~~_____ C. "Turkeys" means turkey eggs, turkey poults, breeder hens, and turkeys.~~
- ~~_____ D. "Producer" means any person in this state in the business of producing or causing to be produced turkeys for market, provided producers shall not include producers who sell turkeys direct to the consumer which they themselves have produced.~~
- ~~_____ E. "Handler" means any person engaged in the operation of selling, marketing, or distributing turkeys which are produced in Utah; but no rule under this Act shall apply to the sale of such turkeys to the ultimate consumer.~~

R65-3-3. Board.

- ~~_____ A. A Board of Control is hereby established consisting of five members, two of whom shall be handlers, to carry out the provisions of this marketing order.~~
- ~~_____ B. The original members of the Board of Control shall be selected by the Commissioner from names submitted by the industry.~~
- ~~_____ C. Successors to original members shall be appointed by the Commissioner from names submitted by the industry. One grower member and one handler member shall be appointed in February of 1981 for a period of three years. Two grower members and one handler member shall be appointed in February of 1981 for a term of four years.~~
- ~~_____ D. Members of the Board shall only succeed themselves once and not serve on the Board for more than eight consecutive years.~~
- ~~_____ E. The officers of the Board shall be selected from the five Board members at their first meeting after reorganization. The officers shall consist of a Chairman and a Vice Chairman, to be elected yearly by the members of the Board. In the event of a vacancy or unfilled office; it shall be filled through a board election as soon as practical and shall be for the remainder of the unexpired term.~~
- ~~_____ F. The Board shall exercise the following functions, powers and duties:~~
 - ~~_____ 1. to receive and expend funds collected for the benefit of Utah turkey production;~~
 - ~~_____ 2. to cooperate with any local, state or national organization engaged in activities similar to~~

those of the Turkey Marketing Board;

~~3. to conduct advertising programs to increase the consumption of Utah produced turkeys where and when possible, and~~

~~4. to conduct research projects to improve the profit potential of the Utah turkey industry.~~

~~5. Financial reports will be made available annually for the Board and members of the industry.~~

~~G. No member of such Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing the duties herein authorized in accordance with Sections 63A-3-106 and 63A-3-107.~~

~~H. All decisions of the Board of Control shall be by a majority vote of those present.~~

~~I. No member of the Board, nor any employee of the Board, shall be deemed responsible individually in any way whatsoever to any producer, distributor, handler, processor, or any other person, for errors of judgment, mistakes, or other acts, either of commission or omission of principal, agent, person, or employee, except for his own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act or omission of any other member of the Board. The liability of the members of such Board shall be several and not joint, and no member shall be liable for the default of any other member.~~

~~J. Attendance of three members at a duly called meeting shall constitute a quorum for the transaction of official business.~~

~~R65-3-4. Provision of this Order.~~

~~A. This order provides for:~~

~~1. Uniform grading and inspection of turkeys sold or offered for sale by producers or handlers and for the establishment of grading turkeys in accordance with such grading standards so established. Such grading standards shall not be established below any minimum standards now prescribed by law for this state.~~

~~2. Advertising and sales promotion to create new or larger markets for turkeys grown in Utah, provided that any such plan shall be directed towards increasing the sale of such commodity without reference to a particular brand or trade name. Provided further, that no advertising or sales promotion program shall be authorized which shall make use of false or unwarranted claims in behalf of the product covered by this Order, or disparage the quality, value, sale or use of any other agricultural commodity.~~

~~3. The labeling, marking, or branding of turkeys provided that such labeling, marking or branding, does not conflict with any rules of the Commissioner or laws of the State of Utah.~~

~~4. Conducting research projects and experiments for the purpose of improving the quality, size, and health and general condition of the turkey industry and for the purpose of protecting the health of the people of the State.~~

~~5. The Board of Control to cooperate with any other state or federal agency whose activities may be deemed beneficial to the purposes of this Order.~~

~~B. Expenses—Assessments—Collection and Disbursement.~~

~~1. Each handler subject to this Order shall pay to the Board of Control such handler's pro rata share (as approved by the Commissioner) of such expenses as the Commissioner may find will necessarily be incurred by the Board for the maintenance and functioning of said Board. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the product covered by the Order which is distributed, sold, or shipped by such cooperative association of producers. The Board may maintain in its own name, or in the~~

~~name of its members, a suit against any handler, subject to this Order, for the collection of such handler's pro rata share of expenses.~~

~~—— a. Such handler's assessment shall be approved by the Commissioner and the industry.~~

~~—— b. This assessment shall be set at \$.08 per hundred weight of processed bird.~~

~~—— 2. The Board is authorized to incur such expenses as are necessary to carry out its functions subject to the approval of the Commissioner. The Board shall receive and disperse all funds pursuant to R65-3-5. Any funds remaining at the end of any year over and above the necessary expenses of said Board of Control may be divided among all persons from whom such funds were collected, or, at the discretion of the Board, such amounts may be applied to the necessary expenses of the Board for the continuation of its program during the next succeeding year, and in such case the Board shall credit all persons from whom such funds were collected with their proper proportions thereof.~~

~~—— 3. The assessment of each producer shall be deducted from the producer's gross receipt by the dealer or producer handler. All proceeds from the deducted portion shall be paid at least quarterly to the Board upon request of the Board.~~

~~—— 4. The Board shall retain records of the receipt of the assessment which will be available for public inspection upon request.~~

~~—— 5. The Board of Control is required to reimburse the Commissioner for any funds as are expended by the Commissioner in performing his duties, as provided in this Order. Such reimbursement to include only funds actually expended in connection with this Order.~~

~~R65-3-5. Division of Funds.~~

~~—— Assessments made and monies collected under the provisions of this Order shall be divided into assessments and funds for~~

~~—— A. administrative purposes,~~

~~—— B. advertising and promotional purposes, and~~

~~—— C. research purposes. Such assessments and funds shall be used solely for the purposes for which they are collected; provided, that funds remaining at the end of any year may be used in the succeeding year.~~

~~R65-3-6. Refund.~~

~~—— Any producer who wishes a refund of their assessments may receive such by notifying the Board in writing of their request at the end of each calendar year.~~

~~R65-3-7. Complaints of Violations.~~

~~—— Complaints of violation shall be handled by the responsible legal agencies and shall be enforced in the civil courts of the State.~~

~~R65-3-8. Termination of Order.~~

~~—— The Commissioner may terminate this Marketing Order at such time as he may determine there is no longer an industry need for such order. This order shall be reviewed or amended at least every 5 years by the industry, Subsection 4-2-2(3)(a). A referendum vote may be called at the request of the producers through a petition of 40 percent of the producers.~~

R58. Agriculture and Food, Animal Industry.

R58-11. Slaughter of Livestock and Poultry.

R58-11-1. Authority.

Promulgated under authority of Section 4-32-8.

R58-11-2. Definitions.

- (1) "Adulterated" means as defined in Section 4-32-3(1).
- (2) "Bill of Sale for Hides" means a hide release or some other formal means of transferring the title of hides.
- (3) "Business" means an individual or organization receiving remuneration for services.
- (4) "Commissioner" means the Commissioner of Agriculture or his representative.
- (5) "Custom Slaughter-Release Permit" means a permit that will serve as a brand inspection certificate and will allow animal owners to have their animals farm custom slaughtered.
- (6) "Department" means the Utah Department of Agriculture and Food.
- (7) "Detain or Embargo" means the holding of a food or food product for legal verification of adulteration, misbranding or proof of ownership.
- (8) "Emergency Slaughter" means for the purpose of this chapter that Emergency Slaughter is no longer allowed for non-ambulatory injured cattle. Non-ambulatory disabled cattle that cannot rise from a recumbent position or cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column or metabolic conditions, are not allowed to be slaughtered for food.
- (9) "Farm Custom Slaughtering" means the slaughtering, skinning and preparing of livestock and poultry by humane means for the purpose of human consumption which is done at a place other than a licensed slaughtering house by a person who is not the owner of the animal.
- (10) "Food" means a product intended for human consumption.
- (11) "Immediate Family" means persons living together in a single dwelling unit and/or their sons and daughters.
- (12) "License" means a license issued by the Utah Department of Agriculture and Food to allow farm custom slaughtering.
- (13) "Licensee" means a person who possesses a valid farm custom slaughtering license.
- (14) "Misbranded" means as defined in Section 4-32-3(27).
- (15) "Owner" means a person holding legal title to the animal.

R58-11-3. Registration and License Issuance.

- (1) Farm Custom Slaughtering License.
 - (a) Any person or person desiring to do farm custom slaughtering shall apply to the Department. Such application for a license will be made on a department form for a Farm Custom Slaughter License. The form shall show the name, address and telephone number of the owner, the name, address and telephone number of the operator if it is different than the owner, a brief description of the vehicle and the license number. Licenses will be valid for the calendar year (January 1 to December 31). Each licensee will be required to re-apply for a license every calendar year. Change of ownership or change of vehicle license will require a new application to be filed with the Department.
 - (b) Registration will not be recognized as complete until the applicant has demonstrated his ability to slaughter and has completed and signed the registration form.
 - (c) A fee must be paid prior to license issuance.

R58-11-4. Equipment and Sanitation Requirements.

(1) Unit of vehicle and equipment used for farm custom slaughtering:

(a) The unit or vehicle used for farm custom slaughtering shall be so constructed as to permit maintenance in a clean, sanitary manner.

(b) A tripod or rail capable of lifting a carcass to a height which enables the carcass to clear the ground for bleeding and evisceration must be incorporated into the unit or vehicle. Hooks, gambles, or racks used to hoist and eviscerate animals shall be of easily cleanable metal construction.

(c) Knives, scabbards, saws, etc. shall be of rust resistant metal or other impervious easily cleanable material.

(i) A clean dust proof container shall be used to transport and store all instruments and utensils used in slaughtering animals.

(d) A water tank shall be an integral part of the unit or vehicle. It shall be of approved construction with a minimum capacity of 40 gallons. Water systems must be maintained in a sanitary manner and only potable water shall be used.

(e) A tank (for sanitizing) large enough to allow complete emersion of tools used for slaughtering must be filled during slaughter operations with potable water and maintained at a temperature of at least 180 degrees Fahrenheit. In lieu of 180 degrees Fahrenheit water, chemical sterilization may be used with an approved chemical agent after equipment has been thoroughly cleaned. Chloramine, hypochloride, and quaternary ammonium compounds or other approved chemical compounds may be used for this purpose and a concentration must be maintained at sufficient levels to disinfect utensils. Hot water, cleaning agents, and disinfectant shall be available at all times if chemicals are used in lieu of 180 degrees Fahrenheit water.

(f) Cleaning agents and paper towels shall be available so hands and equipment may be cleaned as needed.

(g) Aprons, frocks and other outer clothing worn by persons who handle meat must be clean and of material that is easily cleanable.

(h) All inedible products and offal will be denatured with either an approved denaturing agent or by use of pounce material as a natural denaturing agent.

(i) When a licensee transports uninspected meat to an establishment for processing, he shall:

(i) do so in a manner whereby product will not be adulterated or misbranded, and/or mislabeled; and

(ii) transport the meat in such a way that it is properly protected; and

(iii) deliver carcasses in such a way that they shall be placed under refrigeration within one hour of time of slaughter (40 degrees F).

(j) Sanitation.

(i) Unit or Vehicle.

(A) The unit or vehicle must be thoroughly cleaned after each daily use.

(B) All food-contact and non-food contact surfaces of utensils and equipment must be cleaned and sanitized as necessary to prevent the creation of insanitary conditions and the adulteration of carcasses and parts.

(C) Carcasses must be protected from adulteration during processing, handling, storage, loading, unloading and during transportation to processing establishments.

(ii) Equipment.

(A) All knives, scabbards, saws and all other food contact surfaces shall be cleaned and sanitized prior to slaughter and as needed to prevent adulteration.

(B) Equipment must be cleaned and sanitized after each slaughter and immediately before each slaughter.

(iii) Inedibles.

(A) Inedibles shall be placed in designated containers and be properly denatured, and the inedible containers must be clearly marked (Inedible Not For Human Consumption in letters not less than 4 inches in height).

(B) Containers for inedibles shall be kept clean and properly separated from edible carcasses to prevent adulteration.

(iv) Personal Cleanliness.

(A) Adequate care shall be taken to prevent contamination of the carcasses from fecal material, ingesta, milk, perspiration, hair, cosmetics, medications and similar substances.

(B) Outer clothing worn by permittee shall, while handling exposed carcasses, be clean.

(C) No licensee with a communicable disease or who is a disease carrier or is infected with boils, infected wounds, sores or an acute respiratory infection shall participate in livestock slaughtering.

(D) Hand wash facilities shall be used as needed to maintain good personal hygiene.

R58-11-5. Slaughtering Procedures of Livestock.

(1) Slaughter Area

(a) Slaughtering shall not take place under adverse conditions (such as blowing dirt, dust or in mud).

(b) If a slaughter area is used for repeated kills, the area should be maintained to prevent blood from collecting, running off on to adjacent property, or contaminating water sources.

(c) Hides, viscera, blood, pounce material, and all tissues must be removed and disposed at a rendering facility, landfill, composting or by burial as allowed by law.

(2) Humane Slaughter - Animals shall be rendered insensible to pain by a single blow, or gun shot or electrical shock or other means that is instantaneous and effective before being shackled, hoisted, thrown, cast or cut.

(3) Hoisting and Bleeding - Animals shall be hoisted and bled as soon after stunning as possible to utilize post-stunning heart action and to obtain complete bleeding. Carcasses shall be moved away from the bleeding area for skinning and butchering.

(4) Skinning - Carcass and head skin must be handled without neck tissue contamination. This may be done by leaving the ears on the hide and tying the head skin. Feet must be removed before carcass is otherwise cut. Except for skinning and starting skinning procedures, skin should be cut from inside outward to prevent carcass contamination with cut hair. Hair side of hide should be carefully rolled or reflected away from carcass during skinning. When carcass is moved from skinning bed, caution should be taken to prevent exposed parts from coming in contact with adulterating surfaces.

(5) Evisceration - Before evisceration, rectum shall be tied to include bladder neck and to prevent urine and fecal leakage. Care should also be taken while opening abdominal cavities to prevent carcass and/or viscera contamination.

(6) Carcass washing - Hair, dirt and other accidental contamination should be trimmed prior to washing. Washing should proceed from the carcass top downward to move away any possible contaminants from clean areas.

R58-11-6. Identification and Records.

(1) Livestock Identification - Pursuant to requirements of Section 4-24-13, it shall be unlawful for any license holder to slaughter livestock which do not have a Brand Inspection Certificate or Farm Custom Slaughter Tag filled out at time of slaughter.

(a) Animal owners must have a Brand Inspection Certificate for livestock intended to be farm custom slaughtered, issued by a Department Brand Inspector prior to slaughter, paying the legal brand inspection fee and beef promotion fee. This will be accomplished by the animal owner contacting a Department Brand Inspector and obtaining a Brand Inspection Certificate (Custom Slaughter-Release Permit).

(b) Animal owners must also obtain farm custom slaughter identification tags from a Department Brand Inspector for a fee of \$1 each. These tags will be required on beef, pork, and sheep.

(2) Records.

(a) The Custom Slaughter-Release Permit or Farm Custom Slaughter Tag will record the following information:

(i) An affidavit with a statement that shall read "I hereby certify ownership of this animal to be slaughtered by (name). I fully understand that having my animal farm custom slaughtered means my animal will not receive meat inspection and is for my use, the use of my immediate family, non-paying guests, or full-time employees. The carcass will be stamped "NOT FOR SALE" and will not be sold." This statement must be signed by the owner or designee.

(ii) In addition to this affidavit, the following information will be recorded:

(A) date;

(B) owner's name, address and telephone number;

(C) animal description including brands and marks;

(D) Farm Custom Slaughter tag number.

(b) The Farm Custom Slaughter tag must record the following information:

(i) date;

(ii) owner's name, address and telephone number;

(iii) location of slaughter;

(iv) name of licensee;

(v) licensee permit number; and

(vi) carcass destination.

(c) Prior to slaughter the licensee shall:

(i) Prepare the Farm Custom Slaughter tag with complete and accurate information;

(A) One tag shall stay in the license holder's file for at least one year.

(B) One tag plus a copy of the Farm Custom Slaughter-Release Permit shall be sent into the Department by the 10th of each month for the preceding month's slaughter by the licensee.

(C) After slaughter, all carcasses must be stamped "NOT FOR SALE" on each quarter with letters at least 3/8" in height; further, a Farm Custom Slaughter "NOT FOR SALE" tag must be affixed to each quarter of beef and each half of pork and sheep.

(D) Hide Purchase - Licensee receiving hides for slaughtering services must obtain a copy of the Custom Slaughter-Release Permit to record transfer of ownership as required by Section 4-24-18.

R58-11-7. Poultry Slaughter.

(1) Personal Use Exemption.

(a) A person who raises poultry may slaughter and or process the poultry if:

- (i) slaughtering or processing poultry is not prohibited by local ordinance;
- (ii) the poultry product derived from the slaughtered poultry is consumed exclusively by the person or the person's immediate family, regular employees of the person, or nonpaying guests;
- (iii) the slaughtering and processing of the poultry is performed only by the owner or an employee;
- (iv) the poultry is healthy when slaughtered;
- (v) the exempt poultry is not sold or donated for use as human food; and
- (vi) the immediate containers bear the statement, "NOT FOR SALE".

(2) Farm Custom Slaughter/Processing

(a) A person may slaughter and or process poultry belonging to another person if:

- (i) the person holds a valid farm custom slaughter license issued by the department;
- (ii) slaughtering or processing poultry is not prohibited by local ordinance;
- (iii) the licensee does not engage in the business of buying or selling poultry products capable for use as human food;
- (iv) the poultry is healthy when slaughtered;
- (v) the slaughtering and or processing is conducted in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(vi) the unit or vehicle used for farm custom slaughtering shall be so constructed as to permit maintenance in a clean and sanitary manner;

(A) the immediate containers bear the following information:

- (B) the owner's name and address;
- (C) the licensee's name and address, and;
- (D) the statement, "NOT FOR SALE".

(3) Producer/Grower 1,000 Bird Limit Exemption

(a) A poultry grower may slaughter no more that 1,000 birds of his or her own raising in a calendar year for distribution as human food if;

- (i) the person holds a valid poultry exemption license issued by the department;
- (ii) slaughtering or processing poultry is not prohibited by local ordinance;
- (iii) the poultry grower does not engage in buying or selling poultry products other than those produced from poultry raised on his or her own farm (includes rented or leased property);
- (iv) the slaughtering and or processing is conducted in a approved establishment and in accordance with sanitation performance standards, and procedures that produce poultry products that are sound, clean, and fit for human food;

(v) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year, [and;]

(vi) is for distribution directly to household consumers, retail establishments, restaurants, hotels, and boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction where it is prepared; and

~~[(vi)]~~(vii) the immediate containers bear the following information:

- (A) name of product;
- (B) ingredients statement (if applicable);
- (C) net weights statement;
- (D) name and address of processor;

- (E) Safe food handling statement;
- (F) date of package and/or Lot number, and;
- (G) the statement "Exempt R58-11-7(C)".

(4) Producer/Grower 20,000 Bird Limit Exemption

(a) A poultry grower may slaughter no more than 20,000 birds of his or her own raising in a calendar year for distribution as human food if;

- (i) the person holds a valid poultry exemption license issued by the department;
- (ii) slaughtering or processing poultry is not prohibited by local ordinance;
- (iii) the poultry grower does not engage in buying or selling poultry products other than those produced from poultry raised on his or her own farm (includes rented or leased property);
- (iv) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(v) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year, ~~and;~~

(vi) is for distribution to household consumers, retail establishments, restaurants, hotels, and boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction where it is prepared; and

~~[(vi)]~~ (vii) the immediate containers bear the following information:

- (A) name of product;
 - (B) ingredients statement (if applicable);
 - (C) net weights statement;
 - (D) name and address of processor;
 - (E) Safe food handling statement;
 - (F) date of package and/or Lot number, and;
 - (G) the statement "Exempt R58-11-7~~[(D)]~~ (4)".
- (5) Producer/Grower or Other Person Exemption

(a) The term "Producer/Grower or Other Person" in this section means a single entity, which may be:

(i) A poultry grower who slaughters and processes poultry that he or she raised for sale directly to household consumers, restaurants, hotels, and boarding houses to be used in those homes and dining rooms for the preparation of meals served or sold directly to customers.

(ii) A person who purchases live poultry from a grower and then slaughters these poultry and processes such poultry for sale directly to household consumers, restaurants, hotels, and boarding houses to be served in those homes or dining rooms for the preparation of meals sold directly to customers.

(b) A business may slaughter and process poultry under this exemption if;

- (i) the person holds a valid poultry exemption license issued by the department;
- (ii) slaughtering or processing poultry is not prohibited by local ordinance;
- (iii) the producer/grower or other person slaughters for processing and sale directly to household consumers, restaurants, hotels, and boarding houses for use in dining rooms or in the preparation of meals sold directly to customers;

(iv) the producer/grower or other person slaughters no more than 20,000 birds in a calendar year that the producer/grower or other person raised or purchased;

(v) the producer/grower or other person does not engage in the business of buying or selling poultry or poultry products prepared under an other exemptions in the same calendar year he

or she claims the Producer/Grower or Other Person Exemption;

(vi) the processing is limited to preparation of poultry products from poultry slaughtered by the Producer/Grower or Other Person for distribution directly to: 1) household consumers, 2) restaurants, 3) hotels, and 4) boarding houses for use in their dining rooms or in the preparation of meals sold directly to consumers within the jurisdiction where it is prepared;

(vii) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(viii) the producer keeps slaughter records and records covering the sales of poultry products to customers for the current calendar year, and;

(ix) the immediate containers bear the following information:

- (A) name of product;
- (B) ingredients statement (if applicable);
- (C) net weights statement;
- (D) name and address of processor;
- (E) safe food handling statement;
- (F) date of package and/or Lot number, and;
- (G) the statement "Exempt R58-11-7[(E)](5)".

(c) A business preparing poultry product under the Producer/Grower or Other Person Exemption may not slaughter or process poultry owned by another person.

(d) A business preparing poultry products under the Producer/Grower or Other Person Exemption may not sell poultry products to a retail store or other producer/grower.

(6) Small Enterprise Exemption

(a) A business that qualifies for the Small Enterprise Exemption may be:

(i) A producer/grower who raises, slaughters, and dresses poultry for use as human food whose processing of dressed exempt poultry is limited to cutting up;

(A) A business that purchases live poultry that it slaughters and whose processing of the slaughtered poultry is limited to the cutting up; or

(B) A business that purchases dressed poultry, which it distributes as carcasses and whose processing is limited to the cutting up of inspected or exempted poultry products, for distribution for use as human food.

(ii) A business may slaughter, dress, and cut up poultry for distribution as human food if;

(A) the person holds a valid poultry exemption license issued by the department;

(B) slaughtering or processing poultry is not prohibited by local ordinance;

(C) the processing of federal or state inspected or exempt poultry product is limited to the cutting up of carcasses or the business slaughters and dresses or cuts up no more than 20,000 birds in a calendar year;

(D) the slaughtering and or processing is conducted in a fixed establishment and in accordance with sanitary standards, practices, and procedures that produce poultry products that are sound, clean, and fit for human food;

(E) the facility used to slaughter or process poultry is not used to slaughter or process another person's poultry;

(F) the immediate containers bear the following information:

- (I) name of product;
- (II) ingredients statement (if applicable);
- (III) net weights statement;

- (IV) name and address of processor;
- (V) safe food handling statement;
- (VI) date of package and/or Lot number, and;
- (VII) the statement "Exempt R58-11-7[(F)](6)"

(iii) A business may not cut up and distribute poultry products produced under the Small Enterprise Exemption to a business operating under the following exemptions:

- (A) Producer/Grower or PGOP Exemption,
- (B) Retail Dealer, or
- (C) Retail Store.

R58-11-8. Producer/Growers Sharing a Fixed Facility.

(1) Each producer/grower must comply with all the laws and regulations governing such establishments as set forth in Utah Meat and Poultry and Poultry Products Inspection and Licensing Act, this rule, the United State Department of Agriculture (USDA) Poultry Exemptions and federal regulations that apply.

(2) The poultry producer/ grower shall hold a valid Custom Exempt Meat Establishment License (2202) issued by the department

(a) the individual who hold the 2202 license shall be present when slaughter and rocesing operation are being performed.

(3) The department shall be notified five business days prior to slaughtering and processing. The individual shall provide the department with the following information pertaining to the slaughtering and processing of birds:

(a) the date;

(b) the time; and

(c) the location.

(4) The producer/grower shall:

(a) conduct a pre-operational inspection on all food-contact surfaces;

(b) document the findings of the pre-operational inspection and corrective actions as described in 9 CFR 416.12(a) and 416.15 prior to the commencement of operations;

(c) maintain records for at least one year and have them available for inspection upon request by department officials;

(d) fully label product in accordance with this rule before leaving the facility;

(e) maintain the product temperature at 40°F or less during transport;

(f) keep a written recall plan as described in 9 CFR 418 and have it available upon request by department officials;

(5) Producer/growers shall not process on the same day as any other producer/grower.

R58-11-[8]9. Enforcement Procedures.

(1) Livestock and Poultry Slaughtering License:

(a) It shall be unlawful for any person to slaughter or assist in slaughtering livestock and poultry as a business outside of a licensed slaughterhouse unless he holds a valid Farm Custom Slaughtering License issued to him by the Department.

(b) Only persons who comply with the Utah Meat and Poultry Products Inspection and Licensing Act and Rules pursuant thereto, and the Utah Livestock Brand and Anti-Theft Act shall be entitled to receive and retain a license.

(c) License may be renewed annually and shall expire on the 31st of December of each

year.

(2) Suspension of license - license may be suspended whenever:

(a) The Department has reason to believe that an eminent public health hazard exists;

(b) Insanitary conditions are such that carcasses would be rendered adulterated and or contaminated.

(c) The license holder has interfered with the Department in the performance of its duties;

(d) The licensee violates the Utah Meat and Poultry Products Inspection and Licensing Act or the Utah Livestock Brand and Anti-Theft Act or rules pursuant to these acts.

(3) The department may, in accordance with the 9CFR Part 500 suspend or terminate any exemption with respect to any person whenever the department finds that such action will aid in effectuating the purposes of the Act. Failure to comply with the conditions of the exemption including but not limited to failure to process poultry and poultry products under clean and sanitary conditions may result in termination of an exemption, in addition to other Penalties consistent with 9 CFR 318.13

[(3)](4) Warning letter - In instances where a violation may have occurred a warning letter may be sent to the licensee which specifies the violations and affords the holder a reasonable opportunity to correct them.

[(4)](5) Hearings - Whenever a licensee has been given notice by the Department that suspected violations may have occurred or when a license is suspended he may have an opportunity for a hearing to state his views before the Department.

[(5)](6) Reinstatement of Suspended Permit - Any person whose license has been suspended may make application for the purpose of reinstatement of the license. The Department may then re-evaluate the applicant and conditions; if the applicant has demonstrated to the Department that he will comply with the rules, the license may be reinstated.

[(6)](7) Detainment or Embargo - Any meat found in a food establishment which does not have the proper identification or any uninspected meat slaughtered by a licensee which does not meet the requirements of these rules may be detained or embargoed.

[(7)](8) Condemnation - Meat which is determined to be unfit for human consumption may be denatured or destroyed.

R58. Agriculture and Food, Animal Industry.

R58-12. Record Keeping and Carcass Identification at Meat Exempt (Custom Cut) Establishments.

R58-12-1. Authority.

Promulgated Under Authority of Section 4-32-7.

R58-12-2. Records.

Accurate records of each animal slaughtered by its owner which enters a custom exempt meat [~~exempt (custom cut)~~] establishment or any official meat establishment must be kept on approved [~~Department cards~~] "NOT FOR SALE" ticket. These records shall include:

- A. The date,
- B. The owner's name, address and telephone number,
- C. Name and address of [~~exempt~~] meat establishment,
- D. [~~Kind~~]Species of animal.

R58-12-3. Carcass Slaughtered at Home.

Upon receiving an animal which was slaughtered by its owner into [~~an exempt~~] a meat establishment, the proprietor, manager or employee of the exempt establishment shall:

A. See that the appropriate Department [~~cards~~] "NOT FOR SALE" ticket and tags are filled out:

1. One [~~card~~] "NOT FOR SALE" ticket shall be sent into the Department. (These [~~cards~~] "NOT FOR SALE" tickets must be sent in by the 10th of the month for owner slaughtered animals received during the preceding month.)

2. One [~~card~~] "NOT FOR SALE" ticket shall remain in the [~~exempt~~] meat establishment file for at least one year.

B. "Not for Sale" tags must be affixed to each quarter of the animal. Two of these tags shall be affixed to the achilles tendon of each of the rear quarters and the two others tags shall be affixed under the flexor tendons of the forearm of each of the forequarters.

C. A legible "Not for Sale" stamp with letters at least 3/8" in height shall be applied directly on each quarter of the carcass.

R58-12-4. Uninspected Carcass.

If an uninspected carcass is found in [~~an exempt~~] meat establishment that has not been properly identified as required above, or as outlined for Farm Custom Slaughtered carcasses, the Commissioner of Agriculture and Food or [~~his~~] their representative shall embargo and hold the carcass until proof of ownership has been determined.

R58. Agriculture and Food, Animal Industry.

R58-13. Custom Exempt Slaughter.

R58-13-1. Authority.

Promulgated under authority of Section 4-32-7.

R58-13-2. Inspection Exemptions.

A. The Commissioner of Agriculture and Food may exempt the operation of any person from inspection or other requirements of Title 4, Chapter 32, to the extent such operations would be exempt from corresponding requirements under the Federal Meat Inspection Act.

B. The Commissioner shall exempt from inspection the slaughtering and preparation by any person of any livestock which is exclusively for use by the owner of said livestock, members of his household, his nonpaying guests, or full time employees.

C. The custom operators claiming exemption from inspection will keep records showing the numbers and kinds of livestock slaughtered on a custom basis, the quantities and types of products prepared on a custom basis, and the names and addresses of the owners of the livestock and products. In addition to these records all beef animals slaughtered at an exempt slaughter establishment must have received a Utah State Brand Inspection or proof of ownership verification prior to slaughter.

D. The establishment in which custom operations are conducted will conform to all sanitary requirements prescribed by the Commissioner or [his] designee and 9 C.F.R. 308.4 through 308.11, 308.13, 308.14 and 308.3 (except 308.3 (d) (2) and (3), January 1, 2001 edition.

R58-13-3. Identification of Carcasses.

The carcasses of custom slaughtered animals will be clearly and plainly marked "NOT FOR SALE," in letters not less than 3/8 of an inch in height, immediately after the slaughter process is completed. The custom slaughtered carcass will be marked on ~~[every primal cut; leg, rump, loin, rib, shoulder, brisket, and plate]~~ each quarter of the carcass. Custom prepared products must be plainly marked "NOT FOR SALE," 3/8 inch letter height, immediately after being prepared and kept so identified until delivered to the owner.

R58-13-4. Separation of Custom and Official Slaughtering.

A. If exempted custom slaughtering or other preparation of products is conducted in an official establishment, all facilities and equipment in the official establishment used for such custom operations shall be thoroughly cleaned and sanitized before they are reused for preparing any products for sale.

B. Exempted custom slaughtered carcasses and products will be kept separate and away from all inspected carcasses and products while in an official establishment. Custom slaughtered carcasses will be kept not less than 36 inches apart in the nearest proximity from inspected carcasses in chill and holding coolers.

C. The construction of all exempted slaughter or processing establishments will conform to minimum requirements as prescribed by the Commissioner or [his] designee to assure adequate facilities for the purpose intended as required in the licensing act.

Effective 5/12/2015

4-31-109.1 Trichomoniasis fines.

- (1) A person who knowingly sells a bull infected with trichomoniasis, other than to slaughter, without declaring the disease status of the animal shall be subject to citation and fines as prescribed by the department or may be called to appear before an administrative proceeding by the department, as established by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and Section 4-31-109.
- (2) After May 15 of each calendar year, an owner of a bull that has not been tested for trichomoniasis shall be fined \$1,000 per violation.
- (3) An owner of a bull that has not been tested for trichomoniasis and that has been exposed to female cattle shall be fined \$1,000 per violation regardless of the time of year.

Enacted by Chapter 414, 2015 General Session

R58. Agriculture and Food, Animal Industry.

R58-21. Trichomoniasis.

R58-21-1. Authority.

(1) Promulgated under authority of Section 4-31-109.

(2) It is the intent of this rule to eliminate or reduce the spread of bovine trichomoniasis in Utah.

R58-21-2. Definitions.

(1) "Acceptable media" means any Department approved media in which samples may be transferred and transported.

(2) "Approved slaughter facility" means a slaughter establishment that is either under state or federal inspection.

(3) "Approved test" means a test approved by the state of origination to diagnose trichomoniasis in bulls. If the state of origination has no approved test for the diagnosis of trichomoniasis it shall mean one sample tested by a method approved by the Department.

(4) "Brand" means a minimum of a 2 X 3 hot iron single character lazy V applied to the left of the tailhead of a bull, signifying that the bull is infected with the venereal disease, trichomoniasis.

(5) "Certified veterinarian" means a veterinarian who has been certified by the Utah Department of Agriculture and Food to collect samples for trichomoniasis testing.

(6) "Commuter bulls" means bulls traveling across state lines for grazing purposes while utilizing a Commuter Permit Agreement approved by both the respective State Veterinarians or bulls traveling on a Certificate of Veterinary Inspection where there is no change of ownership.

(7) "Confinement" means bulls held in such manner that escape is improbable. Typical barbed wire or net pasture fencing does not constitute confinement.

(8) "Department" means the Utah Department of Agriculture and Food.

(9) "Exposed to female cattle" means bulls with freedom from restraint such that breeding is a possible activity.

(10) "Feeder Bulls" means bulls not exposed to female cattle and kept in confinement for the purpose of feeding and only go to slaughter.

(11) "Negative bull" means a bull that has been tested with official test procedures and found free from infection by *Tritrichomonas foetus*.

(12) "Official tag" means a tag authorized by the Department that is placed in the right ear of a bull by a certified veterinarian after being tested for trichomoniasis. The color of the official tag shall be changed yearly.

(13) "Official test" means a test currently approved by the Department for detection of *Tritrichomonas foetus*.

(14) "Positive bull" means a bull that has been tested with official test procedures and found to be infected by *Tritrichomonas foetus*.

(15) "Positive herd" means any herd or group of cattle owned by one or more persons which shares common grazing or feeding operations and in which one or more animals has been diagnosed with trichomoniasis within the last 12 months.

(16) "Qualified feedlot" means a feedlot approved by the Utah Department of Agriculture

and Food to handle heifers, cows, or bulls. These animals shall be confined to a dry lot area which is used to upgrade or finish feeding animals going only to slaughter.

(17) "Test chart" means a document which certifies that a bull has been subjected to an official test for trichomoniasis and indicates the results of the test.

(18) "Trichomoniasis" means a venereal disease of bovidea caused by the organism *Tritrichomonas foetus*.

R58-21-3. Trichomoniasis - Sampling and Testing Procedures.

(1) Sample collection - Samples are obtained from a vigorous scraping of the bull's prepuce using a sterile syringe and new pipette on each bull.

(2) Sample handling - Samples shall be transferred and transported in approved media. Media should be maintained at 65 to 90 degrees Fahrenheit (18 to 32 degrees Celsius) during sampling and transport to clinic. Samples shall be set up for incubation within 24 hours of sampling. Samples shall also be protected from direct sunlight.

(3) Polymerase Chain Reaction (PCR) testing - The inoculated media shall be incubated at 98 degrees Fahrenheit (37 degrees Celsius) for 24 hours and then frozen. Samples may remain frozen for up to 3 weeks. The frozen sample(s) shall be sent overnight on postal approved frozen packs to the Utah Veterinary Diagnostic Laboratory (950 East 1400 North, Logan, Utah 84341) or an other approved laboratory for PCR testing.

R58-21-4. Trichomoniasis - Rules - Prevention and Control.

(1) All bulls twelve months of age and older, entering Utah, must be tested with an approved test for trichomoniasis by an accredited veterinarian prior to entry into Utah. Bulls that have had contact with female cattle subsequent to testing must be retested prior to entry.

(2) The following bulls are exempted from (A) above:

(a) Bulls going directly to slaughter or to a qualified feedlot,

(b) Bulls kept in confinement operations,

(c) Rodeo bulls for the purpose of exhibition, and

(d) Bulls attending livestock shows for the purpose of exhibition, only to be returned to the state of origin immediately after the event.

(3) Rodeo and exhibition bulls with access to grazing, or exposed to female cattle, or being offered for sale are required to be tested prior to entry.

(4) All bulls twelve months of age and older residing in Utah, and all commuter bulls must be tested with an official test for trichomoniasis annually, between October 1 and ~~April 30~~ May 15 of the following year, or prior to exposure to female cattle according to approved sampling and testing procedures. All bulls must be classified as a negative bull prior to exposure to female cattle or offered for sale.

(5) Testing shall be performed by a certified veterinarian.

(a) All test results shall be recorded on test charts provided by the Department or electronic forms created by the certified veterinarian.

(i) Electronic forms shall have the following information:

(A) Veterinarian's name and contact information

(B) Owner's name and contact information

(C) Bull's trichomoniasis tag number, age, breed

(D) Date of collection

(E) Test results

(b) A copy of all test charts shall be submitted to the Department within ten (10) days of collecting the sample.

(6) All bulls twelve months of age and older being offered for sale for reproductive purposes in the state of Utah must be tested for trichomoniasis with an official test prior to sale. Bulls that have had contact with female cattle subsequent to testing must be re-tested prior to sale or transfer of ownership.

(7) It shall be the responsibility of the owner or his agent to declare, on the auction drive-in slip, the trichomoniasis status of a bull being offered for sale at a livestock auction.

(a) Untested bulls (i.e. bulls without a current trichomoniasis test tag), including dairy bulls, must be sold for slaughter only, for direct movement to a qualified feedlot, or confinement operation, unless untested bulls are tested prior to exposure to female cattle.

(8) Any bull which has strayed and commingles with female cattle may be required to be tested (or re-tested) for trichomoniasis. The owner of the offending bull shall bear all costs for the official test.

(9) All Utah bulls, which are tested, shall be tagged in the right ear with an official tag by the certified veterinarian performing the test.

(10) Bulls entering the State of Utah under the provisions of this rule may be tagged upon arrival by a certified veterinarian upon receipt of the trichomoniasis test charts from the testing veterinarian.

(11) Bulls which bear a current trichomoniasis test tag from another state which has an official trichomoniasis testing program will be acceptable to the State of Utah providing that they meet all trichomoniasis testing requirements as described above.

R58-21-5. Trichomoniasis - Rules - Positive Bull.

(1) A bull is considered positive if a laboratory identifies *Tritrichomonas foetus* using an official test.

(2) All bulls testing positive for trichomoniasis must be reported within 48 hours to: 1) the owner, and 2) the State Veterinarian, by the certified veterinarian performing the test.

(4) The owner shall be required to notify the administrators of the common grazing allotment and any neighboring (contiguous) cattleman within ten days following such notification by the certified veterinarian.

(5) All bulls which test positive for trichomoniasis must be sent by direct movement within 14 days, to:

(a) Slaughter at an approved slaughter facility, or

(b) To a qualified feedlot for finish feeding and slaughter, or

(c) To an approved auction market for sale to one of the above facilities.

(d) An exemption to the 14 day requirement will be given by the State Veterinarian to owners of bulls that are required to be in a drug withdrawal period prior to slaughter.

(6) Such bulls must move only when accompanied by a VS 1-27 Form issued by the testing veterinarian or other regulatory official.

(7) Positive bulls entering a qualified feedlot, or approved auction market shall be identified with a lazy V brand on the left side of the tailhead by either the livestock inspector or the contract veterinarian, indicating that the bull is infected with trichomoniasis.

(8) All bulls from positive herds are required to have one additional individual negative Polymerase Chain Reaction (PCR) test prior to exposure to female cattle, unless they are being sent to slaughter, to a qualified feedlot, or being feed for slaughter in a confinement operation.

R58-21-6. Trichomoniasis - Rules - Non-compliance.

(1) Any person who fails to satisfy the requirements of this rule or who knowingly sells animals infected with trichomoniasis, other than to slaughter, without declaring their disease status shall be subject to citation and fines as prescribed by Title 4, Chapter 31, Section 109.1 the department or may be called to appear before an administrative proceeding by the department.

~~(2) After April 30, owners of all untested bulls will be fined \$200.00 per violation.~~

~~(3) Owners of untested bulls that have been exposed to female cattle will be fined 200.00 per violation regardless of the time of year.~~

KEY: disease control, trichomoniasis, bulls, cattle

Date of Enactment or Last Substantive Amendment: January 4, 2013

Notice of Continuation: January 21, 2015

Authorizing, and Implemented or Interpreted Law: 4-31-21

R68. Agriculture and Food, Plant Industry.

R68-1. Utah Bee Inspection Act Governing Inspection of Bees.

R68-1-1. Authority.

Promulgated under the authority of Section 4-11-3.

R68-1-2. Registration.

1) Every owner or person coming into possession of one or more colonies of bees within the State of Utah shall register with the Department of Agriculture and Food in accordance with the provisions in Section 4-11-4.

2) The Utah Department of Agriculture and Food may waive the registration fee for youth non-profit groups using hives for educational purposes.

R68-1-3. Apiary Identification.

1) Each apiary location [~~whether permanent or temporary~~] shall be identified by a sign showing the owner's registration number issued by the Utah Department of Agriculture and Food, unless the apiary is located on property owned by the beekeeper.

2) The registration number shall be at least one inch in height, easily readable and displayed in a conspicuous location in the apiary; or similar identification conspicuously displayed on one or more hive bodies within the apiary. Any apiary not so identified shall be considered abandoned and shall be subject to seizure and destruction as provided for in Section 4-11-14.

R68-1-4. Assistance in Locating Apiaries.

1) All beekeepers shall personally assist the department or county bee inspectors in locating their apiaries, or provide accurate and detailed information as to location of all bee hives under their control or possession.

2) Bee inspectors shall make a good faith effort to contact the beekeeper prior to an inspection.

R68-1-5. Salvage Operations.

1) All salvage operations with respect to wax, hives and appliances from diseased colonies shall be performed in a tightly screened enclosure [~~to prevent the entrance of bees according to~~] using the following procedure:

[A.]a) [Frames] frames and comb [~~from the diseased hives shall be~~] held for at least 30 minutes in boiling water (212 degrees F) before any wax is removed[.];

[B.]b) [~~After~~] after removal from the boiling water the frames [~~must be~~] are destroyed or boiled for a minimum of 20 minutes in a solution of lye water containing no less than 10 pounds of lye (Sodium Hydroxide) for each 100 gal. of water[.]; and

[C.]c) [~~Hive~~]hive bodies, supers, covers and bottom boards [~~must be~~] are thoroughly scorched or boiled for a minimum of 20 minutes in the lye water solution.

R70. Agriculture and Food, Regulatory Services.

R70-330. Raw Milk for Retail.

R70-330-1. Authority.

[A.] 1) Promulgated under the authority of Section 4-3-2.

[B.] 2) [Scope:] This rule establishes the requirements for the manufacture, production, distribution, holding, delivery, storage, offering for sale and sale of raw milk for retail.

C. History: ~~The Utah Department of Agriculture and Food, with the concurrence of the U.S. Food and Drug Administration (FDA) strongly advises against the consumption of raw milk. There are numerous documented outbreaks of milkborne disease involving Salmonella and Campylobacter infections directly linked to the consumption of un-pasteurized milk. Cases of raw milk-associated campylobacteriosis have been reported in the states of Arizona, California, Colorado, Georgia, Kansas, Maine, Montana, New Mexico, Oregon, Pennsylvania, and Utah. An outbreak of salmonellosis, involving 50 cases was confirmed in Ohio in 2002. Recent cases of Escherichia coli (E. coli) 0157:H7, Listeria monocytogenes, and Yersinia enterocolitica infections have also been attributed to raw milk consumption.~~

R70-330-2. Definitions.

[A.] 1) "Raw milk" means milk ~~[as defined by law]~~ that has not been pasteurized, or heat treated. The word milk shall be interpreted to include the normal lacteal secretion, practically free of colostrum, obtained by the complete milking of one or more healthy hoofed mammals.

[B.] 2) "Properly staffed" means a person or persons on premise available to sell milk, exchange money, and lock and secure the retail store.

[C.] 3) "Department" means the Utah Department of Agriculture and Food.

R70-330-3. Permits.

A permit shall be required to manufacture, distribute, sell, deliver, hold, store or offer for sale raw milk. Such permit shall be suspended when these rules or applicable sections of the Utah Dairy Act, Utah Code Annotated (UCA), Vol. 1, Title 4, Chapter 3, are violated. ~~Cow-share programs, as defined in the Utah Dairy Act, shall not be allowed, either in conjunction with a permitted raw for pasteurization dairy, a permitted raw milk for retail dairy, or in lieu of a permit to sell raw milk for retail.~~

R70-330-4. Building and Premises Requirements.

1) The building and premises requirements at the time of the issuance of a new permit shall be the same as the current Grade A building guidelines.

2) In addition ~~[to these guidelines]~~, there shall be separate rooms provided for:

~~{(1)}~~ a) packaging and sealing of raw milk~~[-]~~;

~~{(2)}~~ b) the washing of returned multi-use containers; ~~[when applicable,]~~ and

~~{(3)}~~ c) a sales room for the sale of raw milk in a properly protected area that is not located in any of the milk handling rooms~~[-]~~

i) ~~[F]~~ these rooms shall meet or exceed the construction standards of a Grade A milkhouse.

~~[If the Raw for Retail dairy also raises chickens, or other poultry, for meat and/or eggs, their housing and movement shall be restricted to areas that do not include the milkhouse, milk barn and their immediate surroundings, the corrals and alleys where there is normally cows or goats, and other locations where there is normal cow or goat traffic. They shall also be restricted from areas~~

~~normally considered traffic areas of the raw milk customers.]~~

3) Animals which are not used for the production of milk shall be restricted from the:

a) milkhous;

b) milk barn;

c) areas immediately surrounding the milkhous and milk barns;

d) areas where cow or goat normal traffic; and

e) areas where milk customers are located.

R70-330-5. Sanitation and Operating Requirements.

[A.]1) Sanitation and operating requirements of all raw milk facilities shall be the same as that required on a Grade A dairy farm producing milk for pasteurization. Milk packaging areas and container washing areas at the raw milk facilities shall meet the requirements for Grade A pasteurized milk processing plants.

2) Milk not handled in a manner required by this rule shall be deemed adulterated and shall not be sold.

[B.]3) All milk shall be cooled to 50 degrees F. or less within one hour of the commencement of milking and to 41 degrees F. or less within two hours after the completion of milking.

[C.] a) The blend temperature after the first milking and subsequent milkings shall not exceed 50 degrees. ~~[Milk not handled in the manner required in this subsection and subsection "B" above shall be deemed adulterated and shall not be sold.]~~

[1.]4) All raw for retail farm bulk milk tanks put into use on or after August 7, 2007 shall be equipped with an approved temperature-recording device, in addition to the indicating thermometer. Daily temperature logs shall be maintained for bulk milk tanks in use prior to August 7, 2007.

[2.]5) The recording ~~[device]~~ thermometer shall be:

a) in compliance with the current technical specification in the Pasteurized Milk Ordinance;

b) operated continuously;

c) ~~[and be]~~ maintained in a properly functioning manner; ~~[- Circular recording charts shall not overlap.]~~

d) installed near the milk storage tank; and

e) accessible to the department

~~[3. The recording device shall be verified as accurate every six (6) months and documented in a manner acceptable to the department.]~~

[4.]5) Recording thermometer charts shall ~~[- be]~~:

a) properly identify the producer, date, and signature of the person removing the chart; and

b) be maintained on the premises for a minimum of six (6) months and available to the department

i) circular recording charts shall not overlap.

~~[5. The recording thermometer shall be installed near the milk storage tank and accessible to the department.~~

~~6. The recording thermometer shall comply with the current technical specifications in the~~

~~Pasteurized Milk Ordinance for tank recording thermometers.~~

~~7. The recording thermometer charts shall properly identify the producer, date, and signature of the person removing the chart.]~~

~~[D.]6~~ The temperature of the milk at the time of bottling shall not exceed 41 degrees F.

~~[E.]7~~ The sale and delivery of raw milk shall be made on the premise where the milk is produced and packaged, or at a self-owned, properly staffed, retail store.

a) Sanitation and construction requirements of the facilities used as self-owned, retail stores shall be the same as those contained in the Wholesome Food Act, Title 4, Chapter 5.

b) Transportation shall be done by the producer with no intervening storage, change of ownership, or loss of physical control.

i) The temperature of the milk shall be maintained at 41 degrees F or below. Each display case shall have a properly calibrated thermometer, and a daily temperature log shall be maintained and made accessible to the Department.

~~[F.]8~~ Raw milk brick cheese, when held at no less than 35 degrees F. for 60 days or longer, may be sold at retail stores or for wholesale distribution, at locations other than the premise where the milk was produced.

~~[G.]9~~ Except as provided [in part (F)] above, all products made from raw milk [including, but not limited to, cottage cheese, buttermilk, sour cream, yogurt, heavy whipping cream, half and half, butter, and ice cream] shall not be allowed for sale in Utah.

~~[H.]10~~ Milk that has been heat treated, shall not be labeled as "Raw Milk" for retail sale.

~~[I.]11~~ Inspections of the self-owned retail store shall be performed no less than four times per year to insure compliance with the sanitation, construction, and cooling requirements as set forth in the Wholesome Food Act, Title 4, Chapter 5.

R70-330-6. Bacteriological Standards.

~~[A.]1~~ The bacterial standards for [unpackaged] raw milk[~~packaged raw milk sold on premise and packaged raw milk sold at a self-owned retail store~~] shall be a bacterial count of no more than 20,000 per ml. and a coliform count of no more than 10 per ml.

~~[B.]2~~ The department shall suspend a permit issued under Section 4-3-8 if two out of four consecutive samples or two samples in a 30-day period violate the sample limits established in [R70-330-6(A)] this rule.

R70-330-7. [Testing]Raw Milk for Retail Testing.

~~[A. Raw Milk for Retail Testing.]~~

~~[I.]1~~ Unpackaged Raw Milk

~~[a.]~~ a) The Department shall:

i) collect a representative sample of milk from each Raw for Retail farm bulk tank once each month[~~All samples shall be delivered~~];

ii) deliver all samples to the State Dairy Testing Laboratory[~~;~~ and

iii) administer [F]tests [shall include] including those prescribed for Raw Milk for Pasteurization as found in the Pasteurized Milk Ordinance[~~and in addition shall include added water, and/or other adulterants~~].

~~[b.]~~ b) The Somatic Cell Count (SCC) in unpackaged raw milk for retail shall not exceed 400,000 cells per milliliter (ml) for cows, and not to exceed 1,500,000 cells per ml for goats.

c) When[~~ever~~] three out of five samples fail to meet this standard in a 5-month

period, the Department shall suspend the raw for retail permit. The suspension shall remain effective until a sample result meets the standard. A temporary permit shall be issued at that time. The permit shall be fully reinstated when three of five samples meet the standard in a five-month period.

~~[2.]~~2) Packaged Raw Milk sold on Premise

~~[a.]~~ a) ~~[It shall be the responsibility of the Department to]~~ The department shall:

- i) collect a representative sample of packaged raw milk once each month~~[-];~~
~~[All samples shall be delivered]~~ ii) deliver samples to the State Dairy Testing Laboratory~~[- Tests shall include]; and~~
- iii) administer tests including those prescribed for Grade "A" Pasteurized milk as found in the Pasteurized Milk Ordinance.

~~[3.]~~3) Packaged Raw Milk sold at Self-Owned Retail Stores

~~[a.]~~ a) ~~[It shall be the responsibility of the]~~ The producer shall: ~~[to]~~

- i) have a sampler certified by the Department ~~[to]~~ collect a sample from each batch of milk;
- ii) ~~[and]~~ submit ~~[it]~~ the sample to the State Dairy Laboratory or a certified independent laboratory to be tested for Antibiotic Drug Residue, Standard Plate Count (SPC) and Coliform Count~~[- AH]; and~~
- iii) withhold all milk from the sampled batch ~~[shall be withheld]~~ from sale until the results of the tests are known.

b) When~~[ever]~~ a sample result exceeds the standard in any of the prescribed categories~~[-]~~, the producer shall:

- ~~[(4)]~~ i) ~~[the producer shall]~~ not allow the milk to enter into commerce;
- ii) recall all milk from the failed batch already in commerce; and
- iii) ~~[shall]~~ dispose of the milk in a manner agreeable to the Department.
~~[The producer may sell raw milk from batches that were produced earlier and whose testing results met the standards.]~~

~~b. The producer shall recall all milk from the failed batch that is already in commerce.]~~

~~[c.]~~ c) The producer shall keep ~~[A database shall be kept and made]~~ and make available ~~[for review by]~~ to both the ~~[Utah Department of Agriculture and Food]~~ department and the Utah Department of Health a database of all customers, which shall include:

- i) names,
- ii) addresses, ~~[and]~~
- iii) telephone numbers of customers,
- iv) dates of purchases, and
- v) amounts of milk purchased.

~~[d.]~~ d) If another agency's epidemiological investigation finds probable cause to implicate a raw for retail dairy in a milkborne illness outbreak, the Raw for Retail Permit may be suspended by the Department until such time as milk samples are pathogen free when analyzed by the Department or other Department approved testing laboratories, and until an inspection can be performed at the facility by a Compliance Officer from the Department.

~~[B. Animal Health Tests.]~~

R70-330-8. Animal Health

~~[1. General herd health examination:]~~

~~[a.]~~1) ~~[Whenever the USDA/APHIS has determined Utah is "Certified Free" of a zoonotic disease relative to an animal species which is milked for human or animal consumption, no testing~~

~~for that disease in that species shall be required.]~~ No testing for disease shall be required when the USDA/APHIS has determined Utah is "Certified Free" of a zoonotic disease relative to an animal species which is milked for human or animal consumption.

~~[b.]2) Testing shall be required[Whenever]~~ when USDA/APHIS has determined that Utah is not "Certified Free" of a zoonotic disease ~~[relative to an animal species which is milked for human or animal consumption, testing shall be conducted, as follows:]~~

a) Tests shall be conducted in the following manner:

~~[(i).—Prior]~~ i) each animal shall be examined by a veterinarian prior to inclusion in a raw milk supply,

~~ii)[and each six months thereafter, all animals shall be examined by a veterinarian.]~~ examination by veterinarians shall be conducted every six months;

~~iii) [Each]~~ each animal in the herd must be positively identified as an individual~~[—This]~~

iv) the examination shall include an examination of the milk by a method recommended by the Pasteurized Milk Ordinance, and

vi) the test shall include a statement of the udder health of each animal, and a general systemic health evaluation.

~~[(ii).]b) [Tuberculosis testing.]~~ Tuberculosis tests shall be conducted in the following manner:

~~i) [Prior to inclusion in a raw milk supply,]~~ each animal shall have been tested for tuberculosis within 60 days prior to the beginning of milk production;

~~ii) [and]~~ each animal shall be retested for tuberculosis once each year ~~[thereafter.]; and~~

~~iii) [-All positively]~~ all positive reacting animals shall be sent to slaughter in accordance with R58-10 and R58-11.

~~[(iii).] c) [Brucellosis testing.]~~ Each bovine animal from which raw milk for retail is produced shall be positively identified as a properly vaccinated animal or shall be negative to the official blood test for brucellosis within 30 days prior to the beginning of each lactation.

i) All positively reacting animals shall be sent to slaughter in accordance with R58-10 and R58-11.

ii) Goats and sheep shall be tested once each year for brucellosis with the official blood test and all positively reacting animals shall be sent to slaughter in accordance with R58-10 and R58-11.

~~[(iv).]3) [Bulk tank milk testing.]~~ All [bovine raw milk for retail shall be] bulk tank shall be tested at least four times yearly with the brucella milk ring test.

a) If such brucella ring test is positive for brucellosis, [then] each animal in the herd shall be tested with the official blood test and any reactors found shall be immediately sent to slaughter in accordance with R58-10 and R58-11.

~~[(v).]4)~~ This section shall not apply whenever the Utah State Veterinarian has determined that an animal species in Utah which is milked for human or animal consumption is not at risk for a specific zoonotic disease.

~~[C.—Personnel Health.]~~

R70-330-9. Personnel Health

1) Each employee of the dairy [~~working~~] involved in the milk handling operation shall obtain a valid medical examination health card signed by a physician and approved by the department once each year and shall hold a valid food handler's permit.

2) No person shall work in a milk handling operation if infected from any contagious illness or if they have on their hands or arms any exposed infected cut or lesion.

3) [~~If there is any question in this regard, the~~] The department may ask for an additional certification from a physician that [~~this~~] a person is free from disease which may be transmitted by milk.

R70-330-[8]10. Packaging and Labeling.

[A.] ~~Label Requirements.~~

1) The label shall meet the requirements outline in the Utah Dairy Act.

2) [~~The consumer containers~~] In addition:

a) Containers for raw milk for retail shall be furnished by the permittee and shall be labeled with the following [~~information~~]:

[1.] i) marked as "Raw Milk" [~~The common or usual name of the product~~] without grade designation[~~—The common name for raw milk is "Raw Milk".—~~];

ii) [~~If~~] if it is other than cow's milk, the word "milk" shall be preceded with the name of the animal, i.e., "Raw Goat Milk",

[2.] iii) [~~The~~] the name, address, and zip code of the place of production and packaging[~~—~~];

[3.] iv) [~~Proper indication of the~~] volume of the product [~~either on the container itself or on the label.~~];

[4.] [~~Nutritional nutritional labeling information when applicable.~~]

[5.] v) The phrase: "Raw milk, no matter how carefully produced, may be unsafe[~~—~~]", shall appear on the label in a conspicuous place. The the height of the smallest letter shall be no less than one eighth inch; and

[6.] vi) The phrase: "Keep Refrigerated", [~~shall also appear on the label with~~] the height of the smallest letter no less than one eighth inch[~~—~~]; and

[7.] [~~The shelf life labeling of bottled raw milk shall include a pull date, expiration date, or best if used by date, and shall be displayed and clearly visible on raw milk. Raw milk shall not be sold after the pull date, expiration date, or best if used by date has expired, and the date shall not be more than nine days after packaging.~~]

8. vii) [~~Other provisions of labeling laws in effect in Utah relative to dairy/food products also apply. On the primary panel~~] the words "raw" and "milk" shall be the same size lettering.

[B.] 3) Products not labeled as required shall be deemed misbranded.

R70-330-9. Limitations on Raw Milk Distribution.

[A.] 1) Raw milk distribution to the public for human consumption is limited to the following circumstances:

[1.] a) A [~~raw milk~~] producer may sell raw milk [~~to the public~~] on the producer's farm [~~if~~] after the producer obtains a raw for retail permit from the department, and

[2.] b) A [~~raw milk~~] producer may sell raw milk [~~to the public~~] at the producer's

self-owned off-premise retail store [if] after the producer obtains a raw for retail permit from the department.

~~[3. A raw milk producer may distribute raw milk to members of the producer's immediate family on the producer's farm.]~~

[B.]2) Other methods or circumstances whereby raw milk is distributed to the public for human consumption, including the giving away of samples, are prohibited.

**RURAL REHABILITATION
MONTHLY REPORT
FACT SHEET
JUNE 30, 2015**

LOANS DATA - FEDERAL

Fund Equity as of 6/30/13	\$ 4,565,184
Current Earnings as of 6/30/14	\$ 167,947
Total	\$ 4,733,131

Cash in bank	\$ 1,009,485
Investment Account	\$ 604,859
Total Cash:	\$ 1,614,344

Total Number of Loans	33
Total Loan Balances Outstanding	\$ 3,164,014
Loans Past Due (30 days or more)	0
Percentage	0.00%

NEW LOANS

Number of New Loans	0
Average Size of New Loans	\$ -

	FY13	FY14	FY15 YTD
Principal repayments	\$ 443,438	\$ 461,628	\$ 586,403
Interest payments	\$ 149,838	\$ 182,332	\$ 142,155
Penalty payments	\$ 552	\$ 1,084	\$ 630
Total Collected	\$ 593,829	\$ 645,044	\$ 729,188

Number of Payoffs	2	4	4
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LOANS DATA - STATE

Legislative Appropriation	\$ 15,500,000
Retained Earnings 06/30/13	\$ 3,413,598
Current Earnings 06/30/14	\$ 272,774
Total	\$ 19,186,372

Cash in bank (includes Emergency Cash payments)	\$ 1,275,324
Investment Account	\$ 3,041,705
See Emergency RR Fact Sheet for Funds allocated from ARDL	
Total Cash:	\$ 4,317,029

Total Number of Loans	65
Total Loan Balances Outstanding	\$ 9,176,734
Loans Past Due (30 days or more)	0
Percentage	0.00%

NEW LOANS

Number of New Loans	0
Average Size of New Loans	\$ -

	FY13	FY14	FY15 YTD
Principal repayments	\$ 1,249,507	\$ 1,208,070	\$ 1,076,364
Interest payments	\$ 315,963	\$ 350,018	\$ 352,113
Penalty payments	\$ 4,591	\$ 5,222	\$ 2,390
Total Collected	\$ 1,570,061	\$ 1,563,309	\$ 1,430,867

Number of Payoffs	4	6	5
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Total Cash/Federal and State	\$ 5,931,373
Approved Non-funded Loans	\$ 475,000
FY13 Combined Earnings	\$ 470,914
FY14 Combined Earnings	\$ 272,774

RURAL REHAB CASH POSITION
FEDERAL/STATE
6/30/2015

FEDERAL

Cash account	1,009,485	
Treasury Account	604,859	
Sub Total	1,614,344	

STATE

Cash account (includes Emergency payments & transfer)	1,275,324	
Treasury account	3,041,705	
Sub Total	4,317,029	

Total cash	5,931,373	
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Undisbursed Funds

	\$	-
1 approved	\$	200,000
1 not approved	\$	275,000
0 Funds ordered and closing papers sent		
Total Applications	\$	475,000

Total available for both funds	\$	5,456,373
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No Emergency Funds Available

Anticipated Cash Receipts

Projected payments 08-01-15 to 10-31-15

Rural Rehab Federal FY16	\$	12,590
Rural Rehab State FY16	\$	45,848
Rural Rehab State FY16 Emergency Dairy	\$	67,419
Rural Rehab State FY16 Emergency Other	\$	-

Total Projected Payments	FY16	\$	125,857
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Anticipated expenses FY2015	Rural Rehab Federal and State	\$	263,900
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RURAL REHAB CASH POSITION
STATE EMERGENCY FUND
6/30/2015

STATE EMERGENCY FUND - DAIRY

Cash account	-
Transferred to RRS	-
Total	-

STATE EMERGENCY FUND - OTHER

Cash account	-
Total	-

Total Cash	-
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0 Funds ordered and closing papers sent	-
---	---

Total Applications	-
---------------------------	---

Total available for emergency funds	-
--	---

Balance	-
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Anticipated Cash Receipts

Projected payments 08-01-15 to 10-31-15 FY16

FY16 Emergency Fund - Dairy	\$	67,419
FY16 Emergency Fund - Other	\$	-
TOTAL	\$	67,419

**RURAL REHABILITATION
STATE EMERGENCY FUND MONTHLY REPORT
FACT SHEET
JUNE 30, 2015**

LOANS DATA - STATE EMERGENCY

Legislative Appropriation 04/20/2009	\$ 8,500,000
Transfer from RRS 09/16/2009	\$ 262,000
Transfer to RRS 05/11/2010	\$ (208,500)
Transfer from ARDL 10/25/2010	\$ 2,000,000
Transfer to RRS 05/17/2011	\$ (112,000)
Retained Earnings (Included w/ RRS)	
Current Earnings (Included w/RRS)	
Total	\$ 10,441,500

Emergency Funds - Dairy

Cash in bank	Included with RRS	\$ -
0 Approved loans		\$ -
Transfer to RRS		\$ -
Total		\$ -

Emergency Funds - Other

Cash in bank	Included with RRS	\$ -
Funds ordered		
Total		\$ -

Total Cash

\$ -

Total Number of Loans		38
Total Loan Balances Outstanding		\$ 6,068,093
Loans Past Due (30 days or more)	1	\$ 398,890
Percentage	2.63%	6.57%

NEW LOANS

Number of New Loans	0
Average Size of New Loans	\$ -

	Dairy FY 14	Other FY14	Dairy FY 15 YTD	Other FY15 YTD	
Principal repayments	\$ 1,884,392	\$ 90,871	\$ 583,017	\$ 114,331	Included
Interest payments	\$ 154,642	\$ 31,747	\$ 98,063	\$ 39,408	w/RRS Cash
Penalty payments	\$ 629	\$ -	\$ 159	\$ -	
Total Collected	\$ 2,039,663	\$ 122,618	\$ 681,240	\$ 153,738	

Number of Payoffs	3	0	1	0
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Approved Non-funded Loans

FY Combined Earnings	Included w/RRS
FY Combined Earnings	Included w/RRS

0 \$ -

GS0106
BØ1798

Rural Rehabilitation Emergency Loan Proposal
Date: June 15, 2015

Action:
APPROVAL:
<u>6/16/15</u> Bushman
<u>6/17/15</u> Hogan
See attached email
Date: <u>6/17/15</u>

Proposed Borrowers: Jeff & Valerie Newland
925 N 775 E
Green River, UT 84525

Loan Amount: \$200,000

Rate: 4%

Terms: Ten year term loan, twenty year amortization, annual payment of \$14,716 beginning December 1, 2018.7

Purpose: Finance the purchase of 104.32 acre farm known as Little Valley Farm, in Grand County. It consists of 80 irrigated acres and 24.32 of dry pasture. Included with the sale is Water Right 92-278 for 595.8 acre feet to irrigate up to 99.3 acres. The land is currently irrigated by gated pipe. Farm Service Agency (FSA) will participate with an additional \$200,000, financing a total purchase price of \$400,000. The borrower plans on upgrading the irrigation system, installing 2 center pivots and a pumping station to pump directly out of the Green River.

Security: First trust deed on the property being acquired. An appraisal is currently being completed and we should receive it this week. We expect the appraisal to document the property value at \$423,000. This agricultural property is southeast of Green River, Grand County in an area known as Little Valley. If the appraised value is at least \$350,000 we will have a loan to value ratio of less than 60%

Final
appraisal
\$400,000
50% LTV

Repayment: Applicant currently owns 10 acres and farmed an additional 10 acres which his father owned. He will soon acquire 5 of the 10 acres through inheritance. He has grown alfalfa on these 20 acres for the last 20 years. He will use 20 ton of the hay produced to feed his horses and mules. The excess production of hay will be sold along with a watermelon crop on 10 acres of the irrigated land. He will farm 13 of the 20 acres he currently owns in alfalfa to be sold to horse owners with small cube bales. FSA will extend a second loan to cover the first year payments until the new hay is established. He will be working with NRCS to plan his center pivots and pumping station to be installed in early spring of 2016. Projections indicate that cash flow will service the debt for the 2nd year. The first two years will be tight, however once the hay is established he will have 4 cuttings instead of 2 after the first two years. Mr. and Mrs. Newland have full time jobs and live conservatively and live off their earnings. Mr. and Mrs. Newland have the ability, knowledge, and financial skills to keep this operation productive and will continue to be profitable.

Financial: As a result of this transaction, applicant will be better established as a land owner and farmer and enables them to purchase prime property not often offered for sale. Mr. Newland managed the Little Valley farm from 2004-2012 and Mrs. Newland has done accounting work for a local motel. For these reasons and the quality of the security approval is recommended.

Comments: Mr. and Mrs. Newland live very conservatively. Extending this loan give the Newland's the best opportunity to afford starting up a successful farming operation. I recommend approval based on a satisfactory appraisal amount providing us a LTV of less than 60%.

Date: June 16, 2015

Roberta Valdez
Roberta Valdez, Loan Specialist

Date: 6-16-15

Rob Hougaard
Rob Hougaard,
Director of Plant Industry and Conservation

Rural Rehabilitation Loan Proposal

May 18, 2015

Action:
APPROVAL:
<u>6/2/15</u> Hogan - OK - Via Email
<u>6/11/15</u> Bushman - OK - Via Email
_____ Adams
Date: <u>6/11/15</u>

Proposed Borrower: Cheryl Valcarce
1955 S Highway 89
Perry, UT 84302

Loan Amount: \$275,000

Rate: 4%

Terms: Ten-year loan, 20-year amortization, annual \$20,235 payments to begin January 1, 2017 with a balloon payment at maturity in 2026. Applicant has provided three decline letters for similar financing from local lenders.

Purpose: To participate in the financing purchase of 80 acres of cropland and 72 shares of Bear River Canal Company Water Stock. This is a joint financing arrangement with Farm Service Agency (FSA) who will provide the additional \$275,000 of the total purchase price of \$550,000. The property is located in Corinne in Box Elder County. This loan will be the beginning of the generational transition from Cheryl's father Paul Valcarce who has been leasing and operating the land for the past 30 years, growing vegetables and selling them locally through an established and well known fruit stand on the fruit highway.


Security: First Trust Deed on 80 acres of farmland and first lien position on 72 shares of Bear River Canal Company Water Stock. The estimated market value of the 80 acres including the water is \$680,000. FSA has ordered an appraisal. Approval is being sought subject to receipt of the appraisal report documenting loan to value of no more than 60%.

Repayment: Loan payments will be made from the proceeds from the sale of a variety of vegetables including but not limited to sweet potatoes, green beans, melons, onions, peppers, pumpkins, sweet corn, squash, and tomatoes. Cheryl will also have non-farm income from a teaching job this coming fall in Box Elder County. Cash flow projections have been derived from Utah NAP data, USU data, and Paul's Patch production data. Cheryl has also been gifted 40 acres of orchard property from her father Paul Valcarce; Cheryl will eventually be operating that as well. She will also carry crop insurance for these first ten years.

Financial: Expense projections were taken from the borrower's father's business operation records for Paul's Patch, which has been in business for thirty years. Cheryl has a long working history working with Paul managing his fruit stand and different aspects of the fruit and produce production for the past 30 summers. The operation has developed a feasible plan and will have all the needed vegetable planting, harvesting, transporting, and marketing equipment to be fully successful. The equipment for the operation will be supplied through an equipment use agreement with Paul Valcarce. Cheryl will have full use of the equipment as long as she needs it. As a beginning farmer, FSA provides supervised credit and will require chattel inspections and complete annual financial analysis. Working capital for the operation will be a zero percent interest loan from her father with repayment terms at the end of each year. Cheryl has gone through a divorce in early 2013 and her credit history has suffered because of slow payments by her ex-husband. However since 2013 all payments on her part have been paid on time. Cheryl has the knowledge and experience to make this a successful operation.

Approval is recommended.

Reviewed by:


Karen Rhynsbarger, Loan Specialist
5/22/15
Date


Robert Hougaard, Director
Director Plant Industry and Conservation
5/22/15
Date



Envisioning Farm Country

Thanksgiving Point Vision

Stimulate curiosity by cultivating transformative family learning.

Long Term Goal

Provide visitors with opportunities to explore, evaluate, and transform their own understanding of where their food comes from and the importance of the American Farmer.

Big Idea

Thanksgiving Point is the ideal location to create a new innovative platform for our communities and families to share and learn about where their food comes from.

There is a global conversation taking place focused on food and the challenge of feeding a global population. This is relevant at both the global and local level. The food challenge is not simply one way versus another, i.e. urban farms vs. industrial agriculture, but rather how do we create informed families who understand the complexity of the challenge and understand all aspects of where their food comes from.

Our Challenge

“The application of technology in food and agriculture has provided countless benefits to society. Innovation and technology help us meet one of humanity’s most basic needs—the need to provide safe, nutritious food for our children and our children’s children.

Today, our challenge is not just better technology, but finding better ways to support the informed public evaluation of those technologies and our food production system.

No matter what science says, many issues remain contentious because the social decision-making process is complex. The ability to break down the communication barriers is critical to fostering informed decision making that encourages technology and innovation in society’s best interest.”

– The Center for Food Integrity 2014 Consumer Trust Research Report

Need

We understand both from guest feedback and conversations already taking place on local and global levels that people are looking for answers to the big questions they have about their food – everything from safety to how make healthier choices. National Geographic ran an eight month focus on the new food revolution and how serve 9 billion people by 2050. Farmers Markets have exploded across the country (Utah alone supports more than 45 farmers markets) and there has been an increased focus in the media surrounding food issues. We see a vast need for providing information and building understanding that tells the full story in engaging ways that families can filter through this global conversation with increased confidence.

Ways Community Members Can Help

- As a 501(c)3 nonprofit, we’ll need donors and sponsors to bring this vision to life
- Connecting to industry leaders and experts
- Community stakeholders who can help advocate and support
- Opportunities to collaborate on related programming
- Share the message
- Join in on the design conversations

Contacts

Blake Wigdahl, VP- Design & Programming – bwigdahl@thanksgivingpoint.org – 801.768.7431

Varden Hadfield, Director of Development – vhadfield@thanksgivingpoint.org – 801.768.4956



Utah's Public-Private Partnership

*Fostering economic resilience to disaster
in partnership with Utah's private sector*



Resilience-building partnerships

Currently, there are 16 industry sectors defined as critical infrastructure

85 percent of critical infrastructure is in the private sector

Natural hazards and man-made threats are increasingly disruptive

Interconnectedness of these sectors increases risk



Utah's Food and Ag Sector

Declared drought since 2012
18,000+ Utah farms and ranches

Top earning sub-sectors: Beef cattle, milk, hogs, chicken eggs, sheep

Cross-sector interdependencies are well-known

UDAF staffs ESF 11 in SEOC Administers SCAP

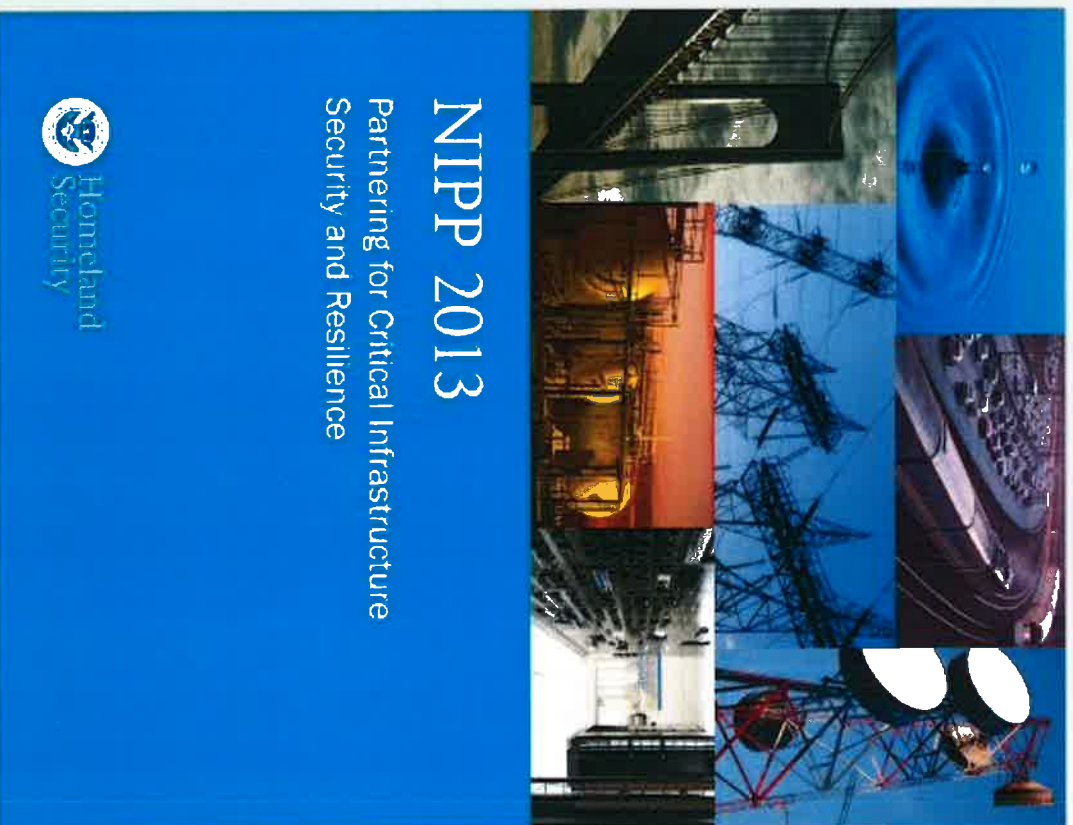




FEMA



Best practices construct



NIPP 2013

Partnering for Critical Infrastructure
Security and Resilience



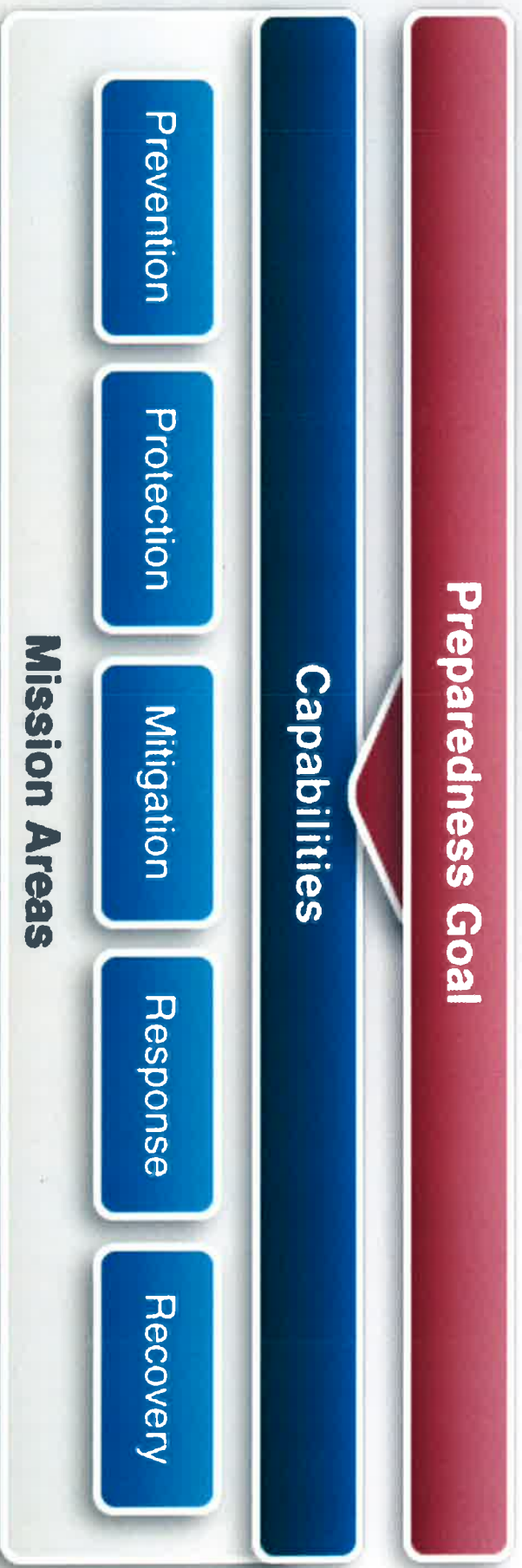
National Preparedness Goal

*First Edition
September 2011*



National Preparedness Goal

Emphasis on building and sustaining core capabilities across five mission areas.





FEMA



Critical Infrastructure Resilience

Building Whole Community Resilience

Energy Emergency Plan

✓ Fuel Network

Critical Infrastructure Resilience Plan

✓ Identify - Rate risk - Mitigate

✓ UCIP tool

✓ IP Gateway

✓ RRAP

✓ PCI methodology



Lifeline Infrastructures

Resilience Council

- Energy
- Transportation
- Water and wastewater
- Communications



CenturyLink™





- Information Sharing

- Capabilities tasking

BECC

Association Reps

VOAD & VDCT

Resource Registry

Government Reps

Business Emergency Coordination Center

- Private sector is primary customer
- Augments SEOC
- vBECC
- Association reps
- Government agencies too
- Resources registry portal
- Information sharing
- Capabilities tasking
- Serves county & muni EOCs



Summary



- Resilience-building outreach
- Critical Infrastructure Resilience Plan
- BECC
- Enhance situational awareness
- Access more resources
- Expand reach and access for communication efforts
- Improve coordination with other efforts by PS
- Increase the effectiveness of emergency management efforts
- Maintain strong relationships, built on mutual understanding

Creating Whole Community Resilience



Utah's Public-Private Partnership

*Fostering economic resilience to disaster
in partnership with Utah's private sector*

